

IN RE: PETITION FOR RESIDENTIAL
ZONING VARIANCE
S/S Roland Court, opposite
Ruxton Hill Road
11 Roland Court
9th Election District
4th Councilmanic District
Victor Khouzami, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 91-417-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance, pursuant to Section 22-6(b)(1) of the Baltimore County Code and Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (barbecue pit and roof) to be located in the side yard in lieu of the required rear yard, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for a Residential Variance, the subject property, known as 11 Roland Court, improved with a single family dwelling, zoned D.R.1, consisting of 2.53 acres +/-, having been posted and there being no request for a public hearing, this matter is ready for determination. The Petitioners are requesting an accessory structure (barbecue pit and roof) to be located in the side yard in lieu of the required rear yard.

The Petitioners have filed the supporting affidavits, as required by Section 22-26 (b)(1) of the Baltimore County Code. There is no evidence in the file or record to indicate that the variance would adversely affect the health, safety and/or general welfare of the public and, therefore, the relief should be granted.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 11th day of June, 1991 that the Petition for a Zoning Variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (barbecue pit and roof) to be located in the side yard in lieu of the required rear yard, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this order has expired. If, for whatever reason, this order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. Upon request and reasonable notice, the Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

JRH:mmm
encl.
cc: Peoples Counsel

-2-

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

June 6, 1991

Mr. and Mrs. Victor Khouzami
11 Roland Court
Towson, Maryland 21204

RE: Petition for Residential Zoning Variance
Case No. 91-417-A

Dear Mr. and Mrs. Khouzami:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours
J. Robert Haines
Zoning Commissioner

JRH:mmm
encl.
cc: Peoples Counsel

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

91-417-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently or upon settlement will reside at 11 ROLAND COURT, BALTIMORE, MD 21204 (Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (indicate hardship or practical difficulty)

The only place available to put a covered barbecue area due to preexisting post and landscaping and steep grade in backyard.

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

Affiant (Handwritten Signature) J. Khouzami
Affiant (Handwritten Signature) M. Khouzami
Affiant (Printed Name) VICTOR KHOUZAMI
Affiant (Printed Name) MARIE KHOUZAMI

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 26th day of April, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

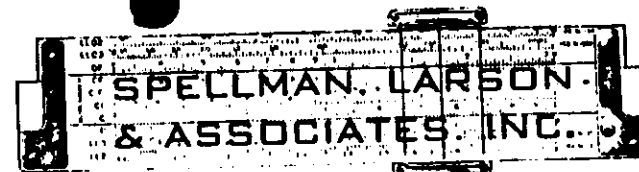
Victor Khouzami + Marie Khouzami

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

4/26/91
DATE

My Commission Expires: July 1, 1993



SUITE 107 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
823-3535

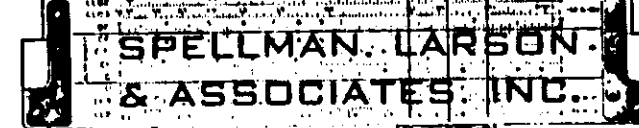
ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON
HENRY M. APPEL
ALFRED F. JUNGERS, P.L.S.

DESCRIPTION FOR ZONING, LOT 31, PLAT THREE, SECTION TWO, BRIDLESHIRE, 9TH DISTRICT, BALTIMORE COUNTY, MARYLAND

Page 1

Beginning for the same at a point on the Southeast side of Roland Court, 40 feet wide, opposite the centerline of Ruxton Hill Road at the dividing line between Lot Nos. 31 and 32, all as shown on a Plat entitled Plat Three, Section Two, Bridleshire, said plat being recorded among the Plat Records of Baltimore County in Plat Book EHK Jr. No. 52, Folio 17 thence leaving the Southeast side of Roland Court and binding on said Lot line South 22 Degrees 38 Minutes 40 Seconds East 236.59 feet and South 59 Degrees 48 Minutes 20 Seconds West 121.05 feet to the dividing line between Lot Nos. 31 and 34 as shown on said plat and running thence and binding on said lot line South 51 Degrees 21 Minutes 40 Seconds West 112.35 feet to the dividing line between Lot Nos. 31 and 36 as shown on said plat thence binding on said lot line South 22 Degrees 38 Minutes 40 Seconds East 419.13 to the outline of the plat herein referred to and running thence and binding on said outline North 67 Degrees 46 Minutes 00 Seconds East 240.01 feet to the dividing line between Lot No. 31 and 30 as shown on said plat thence binding on said lot line North 22 Degrees

RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN • LAND SURVEYING
LAND PLANNING • SUBDIVISION LAYOUT • FEASIBILITY STUDIES • ESTIMATING
GRADING STUDIES • LOCATION STUDIES • TECHNICAL CONSULTATION



SUITE 107 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
823-3535

ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON
HENRY M. APPEL
ALFRED F. JUNGERS, P.L.S.

DESCRIPTION FOR ZONING, LOT 31, PLAT THREE, SECTION TWO, BRIDLESHIRE, 9TH DISTRICT, BALTIMORE COUNTY, MARYLAND

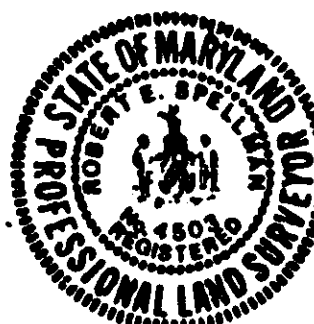
Page 2

38 Minutes 40 Seconds West 704.30 feet to the Southeast side of Roland Court herein referred to and running thence and binding on the Southeast side of Roland Court South 67 Degrees 21 Minutes 20 Seconds West 12.00 feet to the place of beginning.

Subject to the easements over Lot No. 31 as shown on the plat herein referred to.

Containing 2.53 acres of land, more or less.

5/18/88



RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN • LAND SURVEYING
LAND PLANNING • SUBDIVISION LAYOUT • FEASIBILITY STUDIES • ESTIMATING
GRADING STUDIES • LOCATION STUDIES • TECHNICAL CONSULTATION

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

91-417-A

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section

400.1 To allow an accessory structure (Barbecue pit & roof) to be located in the side yard in lieu of the required rear yard.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons (indicate hardship or practical difficulty)

The only place available to put a covered barbecue area due to preexisting post and landscaping and steep grade in backyard.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Attorney's telephone number

Legal Owner(s):

(Type or Print Name)

Signature

Address

City/State/Zip Code

Signature

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City/State/Zip Code

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Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, MD 21204
May 15, 1991

Mr. & Mrs. Victor Khouzami
11 Roland Court
Baltimore, MD 21204

RE: Item No. 422, Case No. 91-417-A
Petitioner: Victor Khouzami, et ux
Petition for Residential Variance

Dear Mr. & Mrs. Khouzami:
The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, MD 21204
May 22, 1991

Your petition has been received and accepted for filing this
3rd day of May, 1991.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Victor Khouzami, et ux

Petitioner's Attorney:

Baltimore County Government
Fire Department
700 East Joppa Road, Suite 901
Towson, MD 21204-5500
(301) 887-4500
AUGUST 6, 1991

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: VICTOR KHOUZAMI

Location: #11 ROLAND COURT

Item No.: 422 Zoning Agenda: MAY 14, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Ch. [Signature]* 8-7-91 Noted and Approved
Fire Prevention Bureau
Special Inspection Division

JF/REK

5-30 91-417-A
BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND
DATE: May 29, 1991
TO: Mr. J. Robert Haines
Zoning Commissioner
FROM: Rahee J. Famill
SUBJECT: Z.A.C. Comments
Z.A.C. MEETING DATE: May 14, 1991
This office has no comments for items number 413, 414, 415, 416, 417, 418, 419, 420, 421, 422 and 423.

Rahee J. Famill
Rahee J. Famill
Traffic Engineer II

RJF/lvd

91-417-A MAY 30

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
DATE: May 10, 1991

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Frank A. Cirincione, Item No. 385
Stanley Z. Steinberg, Item No. 392
John D. Ferencik, Item No. 396
Andrew F. David, Item No. 399
Richard J. Romano, Item No. 400
White Marsh Joint Venture, Item No. 401
Francis T. Leyden, Item No. 402
Charles A. Romano, Item No. 404
Dale J. Lohman, Item No. 405
T & G Partnership, Item No. 407
Westview Mall Association, Item No. 408
George Bromwell, Item No. 409
Hawley Rodgers, Item No. 412
Joseph Ruzza, Item No. 416
Ronald L. Norman, Item No. 418
Victor Khouzami, Item No. 422 ✓

In reference to the Petitioners' request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

VARIEDIT.EMS/ZAC1

received
5/22/91

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, MD 21204
May 22, 1991

Mr. & Mrs. Victor Khouzami
11 Roland Court
Baltimore, Maryland 21204

Re: CASE NUMBER: 91-417-A
LOCATION: S/S Roland Court, opposite Ruxton Hill Road
11 Roland Court

Dear Petitioner(s):

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

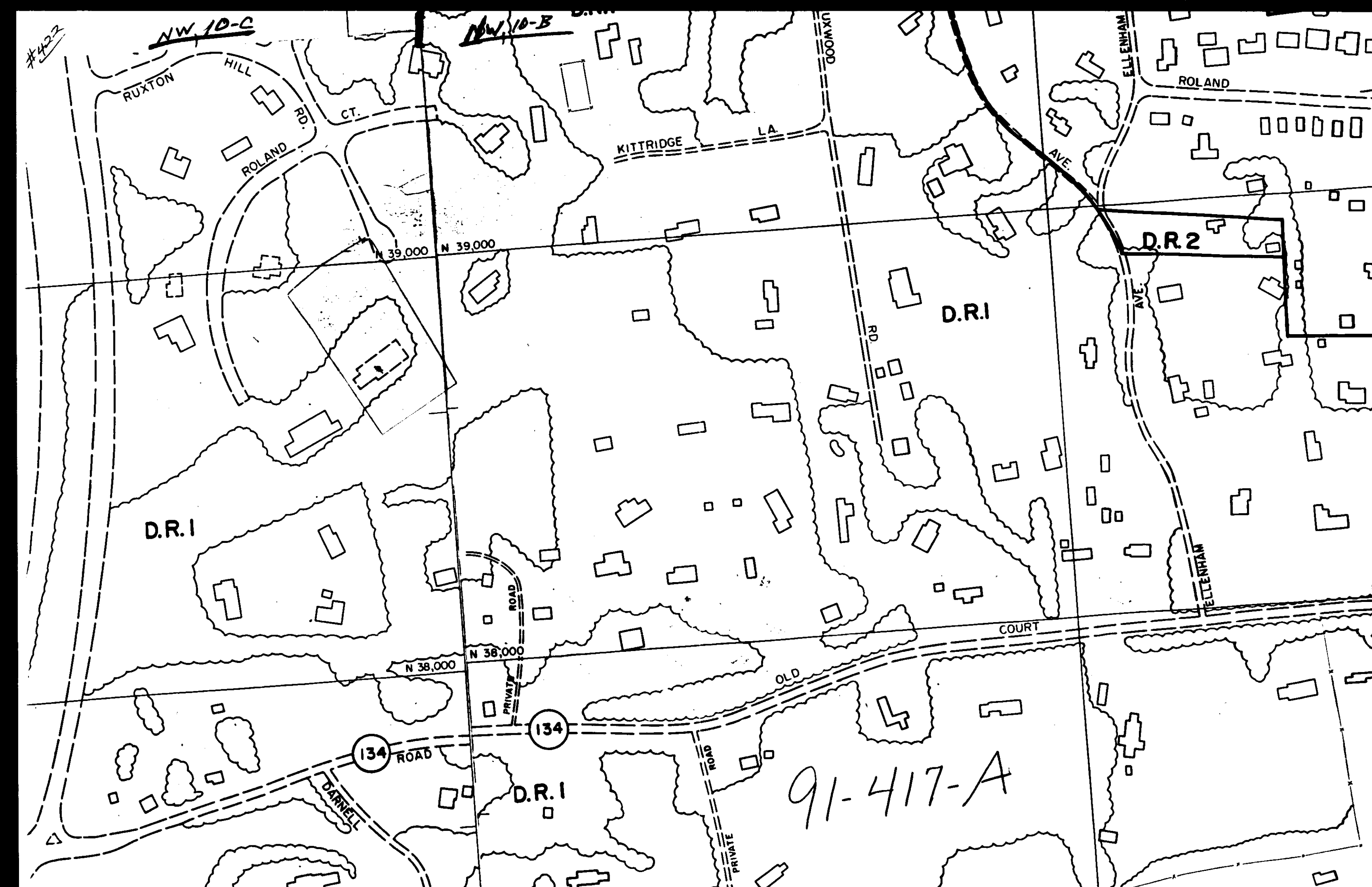
1) Your property will be posted on or before May 15, 1991. The last date (closing date) on which a neighbor may file a formal request for hearing is May 30, 1991. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reporting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your order to be held and incur a \$50.00 charge. Please be advised that the Order will not be available for you to pick-up the day you return the sign.

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

3) PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,

G. G. Stephens
G. G. Stephens
(301) 887-3391





RE COUNTY
NING AND ZONING
APHIC MAP

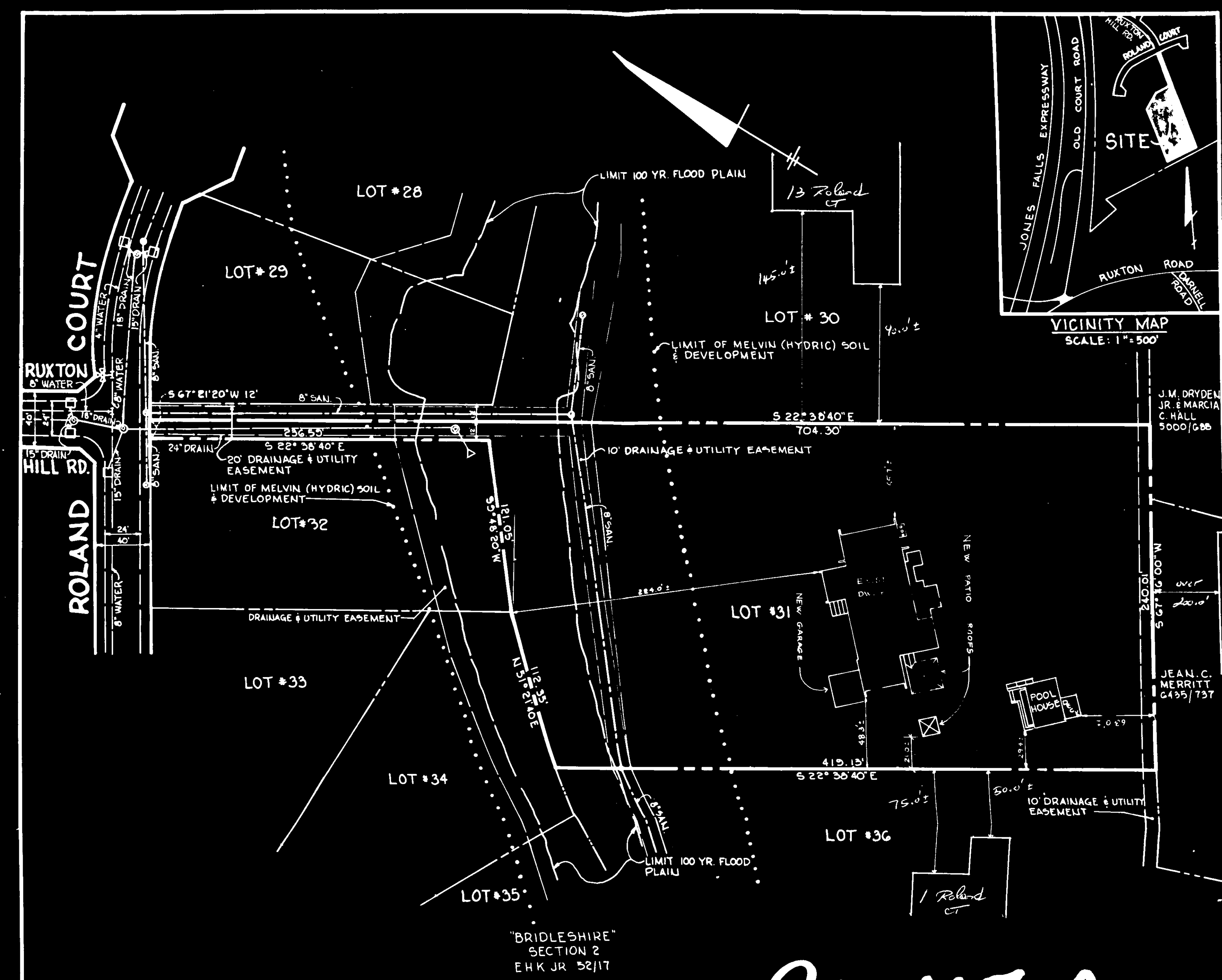
SCALE
1" = 200' ±

LOCATION
91-417-A
ROCKLAND

SHEET
N.W.
10-C

DATE
OF
PHOTOGRAPHY
JANUARY
1996

#422



VARIANCE REQUEST

SITE DATA

AREA OF TRACT = 2.53 ± AC.
EXIST. ZONING = DR-1
EXIST. USE = RESIDENTIAL

Councilmatic District: 4
1" = 200' scale map & NW-10B and NW-10C
Sever: public
Water: public
Chesapeake Bay critical area: No

PREVIOUS ZONING: 10-10B & 10-10C
PRINTED ON: AUGUST 30, 1996

*Petitioners
Exhibit 1*

422

*the Book # 52
Folio # 17
Section # 2*

91-417-A

OWNER
VICTOR KHOUZAMI
11 ROLAND COURT
RUXTON, MD. 21204

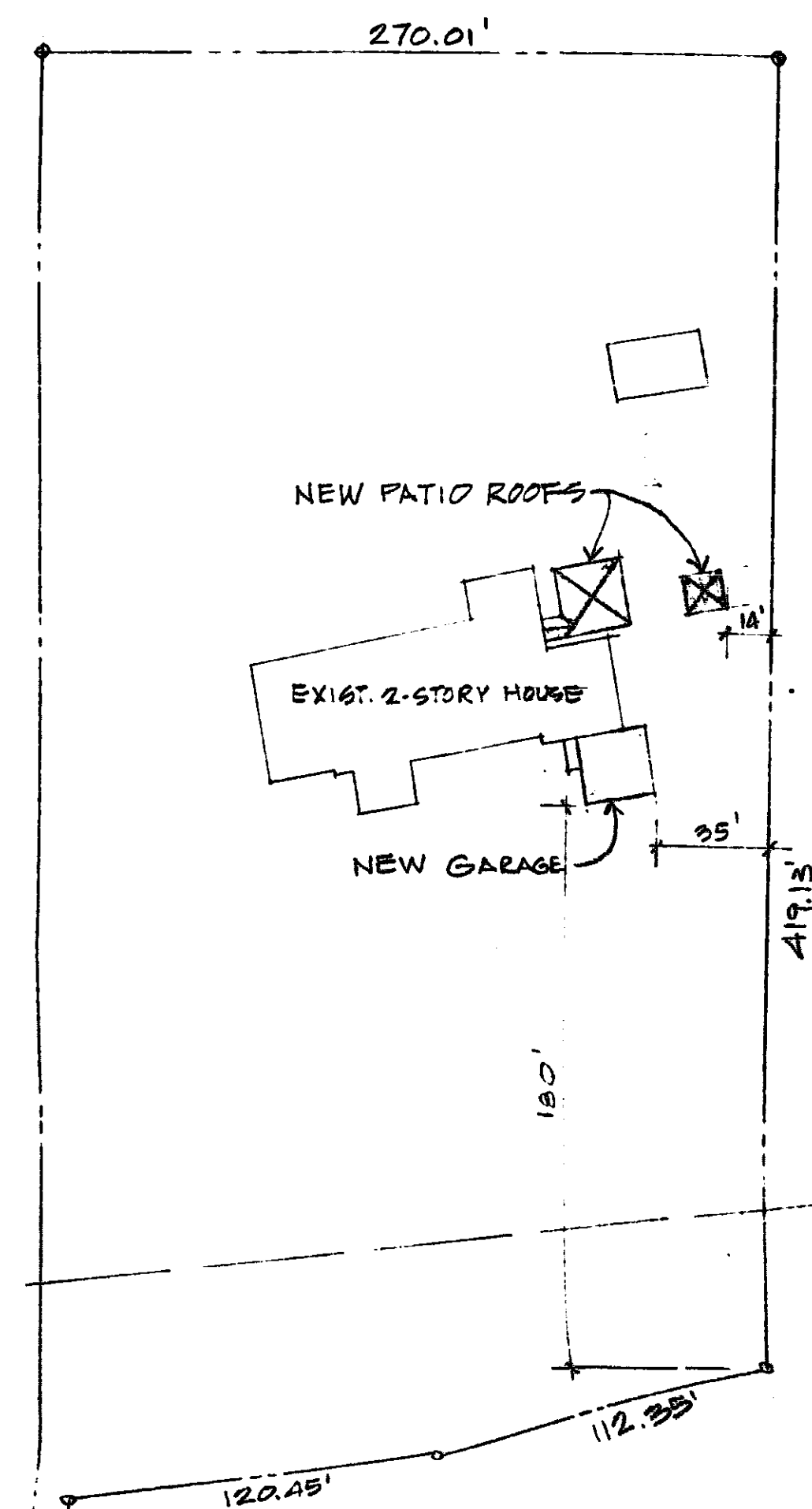
REVISIONS	
NO.	DATE DESCRIPTION

SPELLMAN, LARSON & ASSOCIATES, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 107, JEFFERSON BLDG., TOWSON, MD., 21204
PHONE: 823-3535

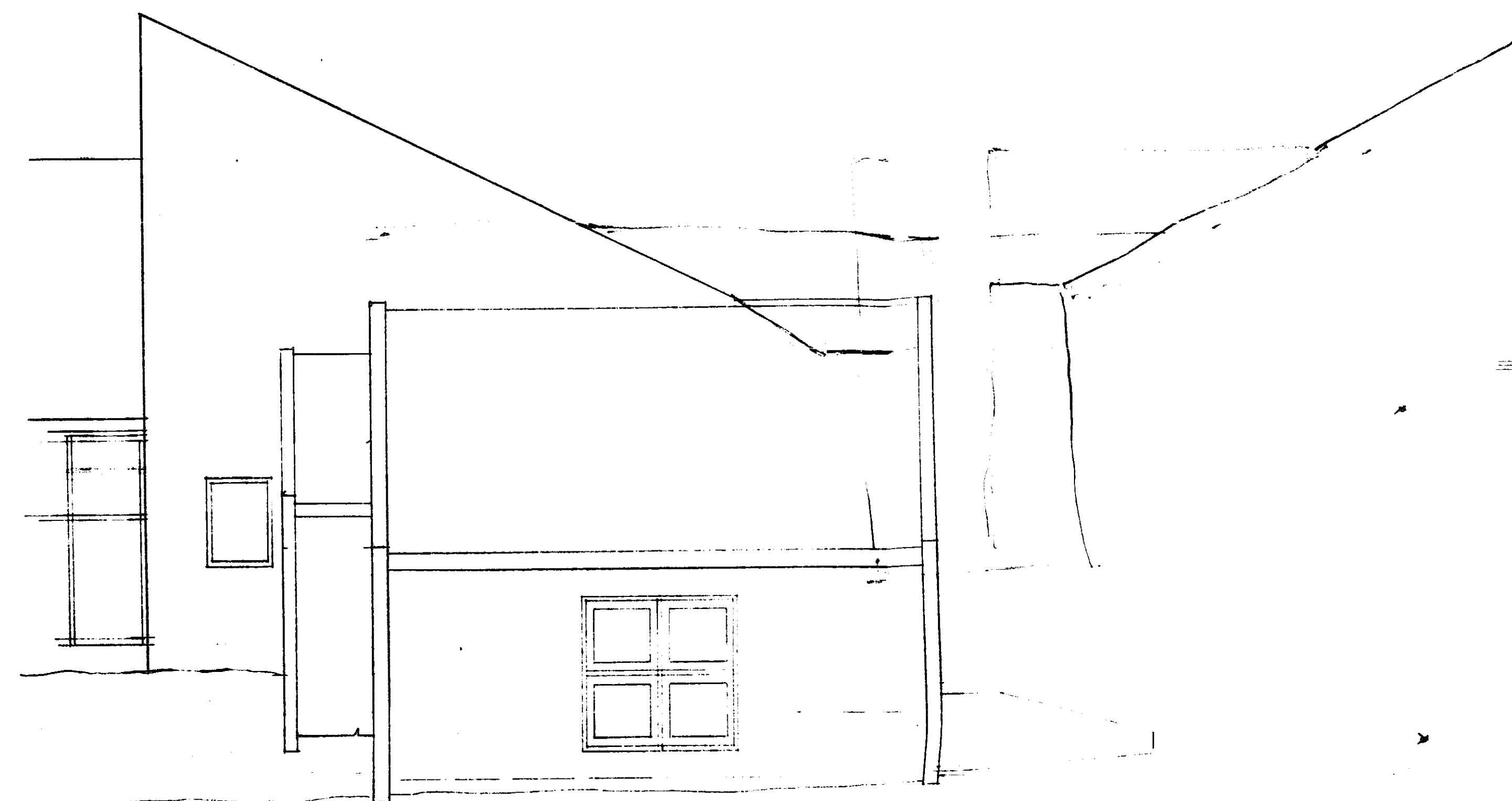
PLAT TO ACCOMPANY
ZONING PETITION

• 11 ROLAND COURT
BRIDLESHIRE
PLAT 3
SECTION 2

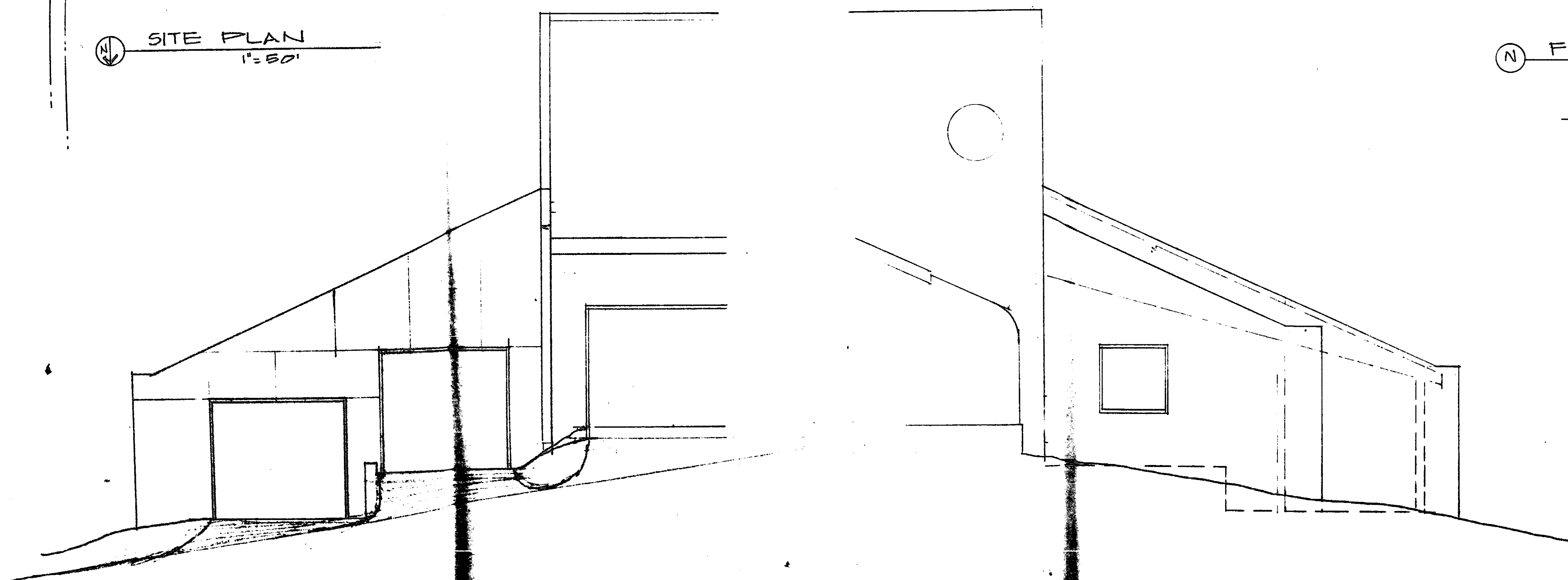
9TH ELECTION DISTRICT BALTIMORE CO., MD.
SCALE: 1" = 50'
DATE: 11-1-96 DES. BY: DRN BY: J.S. SHT. 1 OF 1



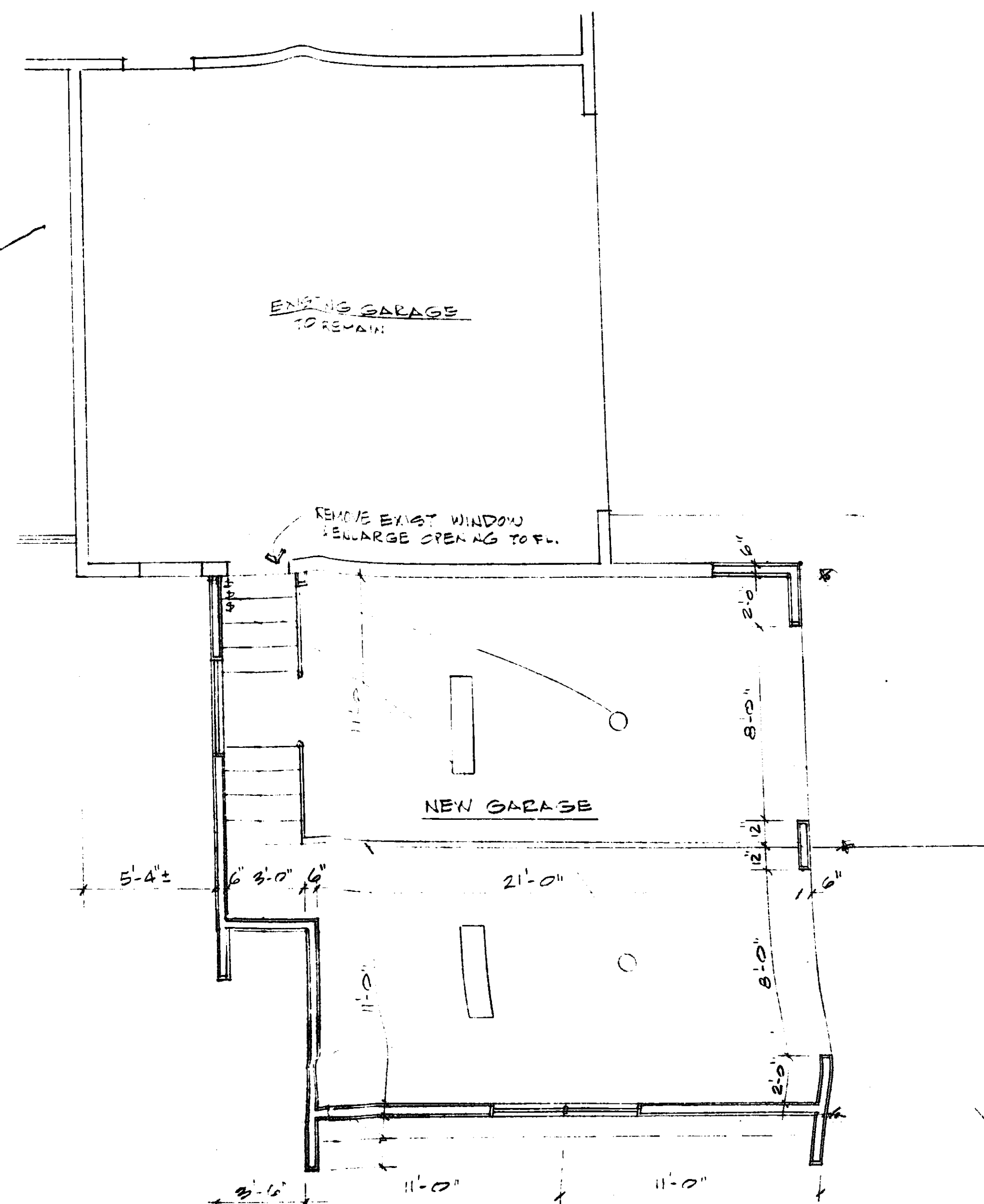
Ⓜ SITE PLAN
1" = 50'



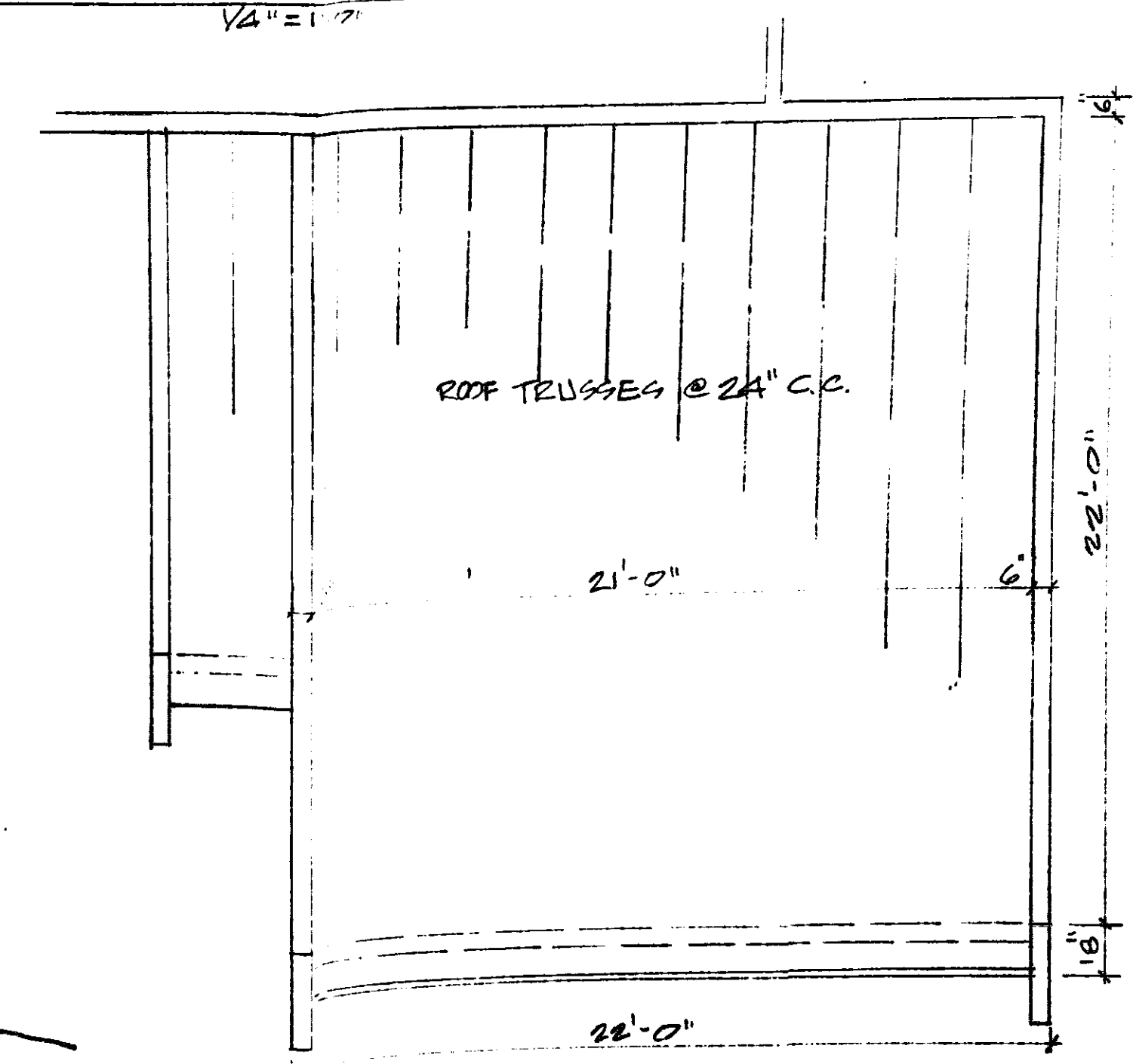
Ⓟ NORTH ELEVATION
1/4" = 1'-0"



Ⓢ WEST ELEVATION
1/4" = 1'-0"



Ⓝ FLOOR PLAN
1/4" = 1'-0"



Ⓞ ROOF FRAMING PLAN
1/4" = 1'-0"

DR. & MRS. VICTOR KHOUZAMI Baltimore, Maryland		
SCALE:	APPROVED BY:	DRAWN BY:
DATE: DEC 90		REVISED:
ACE Architects Engineers Inc. CHARTERED PROFESSIONAL ARCHITECTS 400 S. E. 10th Ave. - Suite 1000 - Fort Lauderdale, FL 33316		
DRAWING NUMBER:		A-1